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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**

9 ANTHONY L. JOHNSON,

10 Plaintiff,

11 v.

12 THE CITY OF SEQUIM,

13 Defendant.

Case No. C00-5354 JKA

ORDER DENYING DEFENDANTS'
MOTION TO CERTIFY QUESTIONS
TO THE WASHINGTON STATE
SUPREME COURT

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15 THIS MATTER comes before the court on Defendants' Motion to Certify Questions to the Washington
16 State Supreme Court noted for ruling this date, August 26, 2005. The court has considered all materials
17 submitted in support of and in response to said motion as well as the files and records herein.

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19 Tangential to this motion was defendants' motion for continuance of the trial date noted for August
20 19, 2005. The motion to continue was based on multiple reasons including this request to certify questions to
21 the Washington State Supreme Court. On August 22, 2005, this court entered an order denying defendants'
22 motion for continuance and stated therein the defendant had not submitted a compelling reason to seek
23 certification. A review of the entire record as of this date offers nothing to alter that determination.

24 ACCORDINGLY, defendants' motion to certify questions to the Washington State Supreme Court is
25 hereby denied.

26 Dated this 26th day of August 2005.

27 /s/ J. Kelley Arnold
28 U.S. Magistrate Judge, J. Kelley Arnold